IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF MISSOURI SOUTHERN DIVISION

| ALCON VISION, LLC, |) | |
|--------------------|----------------------------|----|
| Plaintiff, |) | |
| v. |) Case No. 6:20-mc-09001-M | DΗ |
| LENS.COM, INC., |) | |
| Defendant. |) | |

ORDER

Before the Court is Plaintiff Alcon Vision, LLC's Motion for Order to Compel Non-Party 5G Acquisitions. LLC ("5GA") to Comply with Properly Served Subpoena (Doc. 1). Plaintiff moves the Court to order 5GA to comply with a subpoena issued in the underlying case, Case No. 1:18-cv-00407-NG-RLM (E.D.N.Y.) served in January 2020. The parties met and conferred multiple times via telephone and emails. 5GA did not move to quash the subpoena, nor did it seek a protective order limiting its scope. 5GA had no outstanding objections at the time the Motion was filed, but claimed its objections were not all resolved in its response (Sugg. Opp. at 1, 5, 6). However, evidence before the Court shows that counsel for both parties met in February, resulting in an agreement that 5GA would search for and produce responsive documents using the search terms agreed upon by the parties. (See Larson Decl. ¶ 11, Ex. 6). Any objections mentioned by 5GA in its Suggestions in Opposition to the Motion (Doc. 4) are hereby overruled.

The Court **GRANTS** Plaintiff's Motion to Compel (Doc. 1). The Court hereby **ORDERS** 5GA to produce all non-privileged responsive documents in its possession, custody, or control within 14 days. To the extent 5GA determines, after a reasonable search, that it has no responsive

documents, the Court **ORDERS** 5GA to serve a written response to the subpoena identifying the requests for which it has not located any responsive documents.

IT IS SO ORDERED.

Dated: September 16, 2020 /s/ Douglas Harpool

DOUGLAS HARPOOL United States District Judge